

Message Text

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15/63

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 INR-07 L-03 ACDA-07
NSAE-00 PA-01 SS-15 PRS-01 SP-02 TRSE-00 SAJ-01 NSC-05
EB-07 OMB-01 USIE-00 INRE-00 NSCE-00 SSO-00 CCO-00
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O R 091952Z DEC 76 ZFF-6
FM USDEL SECRETARY IN BRUSSELS
TO SECSTATE WASHDC IMMEDIATE
INFO AMEMBASSY BONN
AMEMBASSY BERLIN
USMISSION BERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW
USMISSION NATO BRUSSELS
USMISSION EC BRUSSELS

C O N F I D E N T I A L SECTO 32045

C O R R E C T E D C O P Y FOR TAGS, E.O. AND SUBJ LINE

E.O. 11652: GDS
TAGS: PGOV PFOR GW GE UR
SUBJ: DECEMBER 1976 QUADRIpartite MEETING ON BERLIN AND
GERMANY: BERLIN/EC RELATIONSHIP

1. SUMMARY

AT DEC. 8 SENIOR LEVEL MEETING, FRG FONOFF POLITICAL
DIRECTOR VAN WELL GAVE FRG VIEWS ON QUESTION OF
INCLUDING BERLIN I TTC DEVELOPMENTS. HE THOUGHT
SOVIETS WERE NOT REALLY CONCERNED ABOUT THE PRESENCE
OF A FEW BERLINERS IN THE EUROPEAN PARLIAMENT BUT
ABOUT THE RELATIONSHIP BETWEEN THAT BODY AND BERLIN
WHEN IT TOOK ON LEGISLATIVE FUNCTIONS. ON INCLUDING
BERLIN IN AN EC/CEMA AGREEMENT, VAN WELL SAID THAT
THE FRG DID NOT WISH TO START THOSE NEGOTIATIONS
WITH A BERLIN PROBLEM BUT NEITHER COULD IT WAIT UNTIL
THE NEGOTIATIONS WERE ALMOST COMPLETE BEFORE RAISING
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BERLIN. THE FRG HOPED TO SOLVE THE PROBLEM QUIETLY
AND IN FULL CONSULTATION WITH THE ALLIES IN THE BONN
GROUP. HE NOTED THAT IN RECENT NEGOTIATIONS WITH
ROMANIA, QUIET FRINGE DISCUSSIONS HAD LED TO THE

SATISFACTORY RESOLUTION OF THE PROBLEM OF BERLIN'S
INCLUSION. END SUMMARY

2. AT FRG REQUEST, QUESTION OF RELATIONSHIP BETWEEN
BERLIN AND EUROPEAN COMMUNITIES WAS ADDED AS FINAL
AGENDA ITEM AT DEC. 8 SENIOR LEVEL MEETING ON BERLIN
AND GERMANY. PICKING UP ON REMARKS MADE EARLIER AT
MEETING BY ASST. SEC. HARTMAN, VAN WELL AGREED THAT
THE RELATIONSHIP BETWEEN BERLIN AND THE EC WAS THE MOST
IMPORTANT SINGLE ASPECT OF CURRENT BERLIN PROBLEMS
OUTSIDE THE FRG/SOVIET PROBLEM IN BILATERAL TREATIES.
THE SOVIETS HAD TAKEN A HARD POSITION BUT HAD LEFT
THEMSELVES A WAY OUT WHEN THEY CENTERED THEIR OBJECTIONS
ON "STATE-POLITICAL INTEGRATION." THE SOVIETS SEEMED
MORE OPTIMISTIC ABOUT COMMUNITY DEVELOPMENT THAN THE
COMMUNITY ITSELF.

3. VAN WELL CONTINUED THAT THERE WERE TWO OPERATIONAL
ASPECTS TO THE QUESTION: ELECTIONS OF BERLINERS
TO THE EUROPEAN PARLIAMENT AND THE DRAFT EC/CEMA
CONVENTION. THE LATTER CONTAINS AN AREA OF APPLICABILITY
CLAUSE WHICH WILL COVER BERLIN IMPLICITLY. ON THE
QUESTION OF THE PARLIAMENT, VAN WELL SAID THAT THE
FRG IMPRESSION IS THAT THE SOVIETS ARE NOT REALLY
WORRIED ABOUT A FEW BERLINERS IN THE EUROPEAN PARLIAMENT.
THEIR WORRY IS ABOUT THE FUTURE WHEN THE EUROPEAN
PARLIAMENT BECOMES A LEGISLATIVE BODY. THE WEST
CANNOT SAY TO THE SOVIETS, HOWEVER, THAT THE 1978
ELECTIONS WILL NOT CREATE A LEGISLATIVE BODY. THE
ALLIES CAN SAY THAT ALLIED RIGHTS AND RESPONSIBILITIES
WILL BE MAINTAINED, THAT THE ALLIES WILL ALWAYS
MEASURE EVENTS AGAINST THE STATUS OF BERLIN AND TAKE
ANY NECESSARY STEPS. WHAT THE WEST CANNOT DO IS TO
OPEN A WRITTEN DEBATE WITH THE SOVIETS ABOUT THE
FUTURE OF EUROPEAN INTEGRATION, ALTHOUGH IT MIGHT BE
POSSIBLE TO USE INFORMAL SPEAKING NOTES TO SET THE
SOVIET MINDS RIGHT. THE QUESTION BEFORE US NOW IS THE
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SENDING OF BERLINERS TO THE EUROPEAN PARLIAMENT AS
IT EXISTS TODAY. VAN WELL THOUGHT IT IMPORTANT ALSO
TO RECALL THAT THE SOVIETS HAD ACCEPTED THE MORE
IMPORTANT PRECEDENT OF PARTICIPATION BY BERLINERS
IN THE BUNDESTAG.

4. TURNING TO THE EC/CEMA QUESTION, VAN WELL SAID
THAT THE FRG HAD TO STEER BETWEEN TWO EXTREMES IN
SEEKING THE INCLUSION OF BERLIN. THE FRG COULD NOT WAIT
UNTIL THE AGREEMENT WAS JUST ABOUT FINISHED AND THEN
RAISE THE BERLIN PROBLEM. NOR DID IT WISH TO START
THE NEGOTIATIONS OFF WITH TROUBLE ABOUT BERLIN.
RATHER, THE FRG WANTED TO TALK TO THE SOVIETS AT AN

APPROPRIATE MOMENT WHEN THE QUESTION OF THE AREA OF APPLICATION OF THE AGREEMENT AROSE. THE PROBLEM IS THAT THE SOVIETS HAD REJECTED THE LEGALITY OF THE EXTENSION TO BERLIN OF THE ROME TREATY. THERE COULD BE NO EC/CEMA AGREEMENT WITH A BUILT-IN DISAGREEMENT ABOUT ITS AREA OF APPLICATION.

5. THE FRG OBJECTIVE IS TO REACH A SITUATION WHERE THE USSR HAS NOTED THE AREA OF APPLICATION AND HAS NOT OBJECTED TO IT. EXACTLY HOW TO DO THIS SHOULD BE WORKED OUT IN THE BONN GROUP. THERE ARE A NUMBER OF POSSIBILITIES SUCH AS AN UNOBTRUSIVE INTERPRETATIVE STATEMENT. SUCH A STATEMENT COULD BE MADE IN THE CONTEXT OF PROVIDING A LIST OF OTHER PARTS OF THE AREA OF APPLICATION WHICH ARE NOT PART OF THE NATIONAL TERRITORY OF THE MEMBER STATES. THE NECESSARY SOUNDINGS MUST BE MADE, BUT IN AN UNSPECTACULAR WAY. THIS WAS HOW THE FRG HAD RECENTLY SUCCEEDED IN INCLUDING BERLIN IN A TREATY WITH ROMANIA; THE BERLIN DISCUSSION HAD NOT TAKEN PLACE AT THE NEGOTIATING TABLE BUT ON THE FRINGES.

6. VAN WELL CONCLUDED THAT THERE WAS A PROBLEM WITH BERLIN'S INCLUSION IN THE EC WHICH THE FRG WANTED TO TACKLE IN FULL AGREEMENT WITH THE ALLIES. THE FRG HAD NO INTENTION OF TRYING TO RESOLVE THE QUESTION BILATERALLY.

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7. AFTER THANKING VAN WELL FOR HIS PRESENTATION, CHAIRMAN HIBBERT (UK) NOTED THAT THERE WAS TOO LITTLE TIME LEFT TO PERMIT DISCUSSION OF THIS IMPORTANT TOPIC AND SUGGESTED THAT THE DISCUSSION BE RESUMED LATER BY THE POLITICAL DIRECTORS ALONE IN ORDER TO PERMIT OTHER OFFICIALS TO RESOLVE DISAGREEMENTS ON THE REPRESENTATION STUDY. RESULTS OF THE SUBSEQUENT MEETING OF THE POLITICAL DIRECTORS AS PRESENTED BY HIBBERT AT THE QUADRIPARTITE MINISTERIAL DINNER ARE REPORTED BY SEPTEL.KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 16 SEP 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, SECTO, O, AND SUBJ LINE, GDS, TAGS, PFOR GW GE UR, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976SECTO32045
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Film Number: D760455-0724
From: SECRETARY IN BRUSSELS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761293/baaaenus.tel
Line Count: 153
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 05 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 APR 2004 by ShawDG>; APPROVED <06 APR 2004 by GolinoFR>
Review Markings:

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Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DECEMBER 1976 QUADRIpartite MEETING ON BERLIN AND GERMANY: BERLIN/EC RELATIONSHIP
TAGS: PGOV, PFOR, E, EEC, (VAN WELL)
To: STATE INFO BONN
BERLIN
BERLIN
LONDON
PARIS
MOSCOW

NATO BRUSSELS

EC BRUSSELS

Type: TE

Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006